IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 3505 OF 2007

Sittu Singh Triloksingh Ripiyal. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ganesh Gole for the applicant.

Ms.S.D.Shinde, A.P.P. for the State.

CORAM: V.C.DAGA, J.

DATED: 24th October 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.497/2006 registered with Nashik Road Police Station, Nashik for the offences punishable under sections 302, 143, 148, 149 of Indian Penal Code read with section 135 of the Bombay Police Act.

3. The earlier application for bail moved by the applicant being Criminal Application No.1151/2007 was already considered on merits by the learned single Judge who was pleased to reject the said application vide order dated 18th April, 2007. While rejecting

the application, learned Judge of this Court had referred to the statements of two eye witnesses i.e. Shashikant and Santosh; wherein they have clearly implicated the applicant saying he has assaulted deceased along with others.

4. Mr.Gole, learned counsel for the applicant submits that one Ajay Baburao Karale, a rickshaw driver, who had taken the other accused to the spot of incident, has been enlarged on bail vide order dated 10th September, 2007. According to him, that being a change in circumstances, the present application is tenable and applicant can be granted bail on parity.

5. Having seen the role of the present applicant in commission of the offence alleged; in the light of the statements of two eye witnesses, I do not see any reason to grant bail on parity to the present applicant.

6. In the result, application is rejected.

JUDGE